

 KENTUCKY CORRECTIONS Policies and Procedures	Policy Number	Total Pages
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References/Authority KRS 196.035, 197.020, 197.045, 197.110, 197.120, 197.170, 197.180, 439.580, 439.590, 439.600, 439.610, 440.010(1), 520.030, 520.040; ACA Standards 4-4302, 4-4303, 4-4304, 4- 4305, and 4-4306 P&P ACA 2C-04, 2C-05	Subject COMMUNITY SERVICE CENTER PROGRAM AND JAIL PLACEMENT	

I. DEFINITIONS

“Director of Population Management” means the supervisor who approves an inmate for placement in jails and in halfway house facilities throughout the state.

"Community Service Centers" means jails, halfway houses, and residential treatment facilities that house state inmates and parolees.

"Deferment" means a Parole Board action in which the final decision concerning parole for an inmate is continued for a certain number of months.

“Furlough” means an authorized absence extending the limits of confinement from a correctional institution to visit a specific place within the boundaries of the Commonwealth of Kentucky for a specific length of time.

“Furlough Code of Conduct” means an agreement by an offender to follow the rules outlined in the agreement while on furlough.

"Escape" is defined in KRS 520.010(5).

"Halfway house" means a residential facility, located in the community, which provides services to felons, probationers, parolees, and pre-release offenders.

"Jail" means a jail as defined by KRS 441.005(1) or a regional jail as defined by KRS 441.005(7).

"Meritorious Good Time" means the good time described in KRS 197.045(1)(b)(2).

"Parolee" means a person who has been released from a correctional facility to parole.

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"Probationer" means a person convicted but not yet imprisoned, on the conditions of continued good behavior and regular reporting to a probation officer.

"Reintegration" means the process of preparing both community and offender for his return as a productive and accepted citizen.

"Relative" is defined in KRS 439.580(5).

"Statutory Good Time" means the good time described in KRS 197.045(1)(b)(1).

II. POLICY and PROCEDURES

Kentucky Department of Corrections shall administer the community center program to divert an offender from an institution and reintegrate him into society. An individual in the program shall be serving a felony sentence in a local jail, halfway house, or residential treatment program under contractual agreement with the Department of Corrections.

A. An inmate meeting the following criteria may be recommended for transfer to a community center. An inmate shall:

1. Qualify for community custody as established by the Corrections Classification Manual;
2. Remain in the program a minimum of thirty (30) days; and
3. Be physically and psychologically capable of functioning in the community center without ongoing professional intervention.

B. Parolee and Probationer Placements

1. Parolees selected for placement in a halfway house program as a graduated sanction shall be approved by a supervisor. Placement in a halfway house program shall be assigned by the Community Placement Office.
 - a. Parolees participating in a halfway house program shall be allowed a maximum stay of one hundred-twenty (120) days in a halfway house facility.
 - b. If unusual circumstances exist, extensions may be granted in thirty (30) day intervals with written justification submitted to the Division of Probation and Parole for final approval.
2. If bed space is available, probationers may participate in a halfway house program with a maximum stay of six (6) months in a halfway house facility.

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C. Placement Priorities

1. Each offender's eligibility and needs assessment shall dictate the appropriateness of a community center placement as a graduated sanction or reintegration mode of case management.
2. Priority shall be given to:
 - a. Qualified parolee
 - b. Offender qualified for SAP program
 - c. Qualified inmate

D. Community Center Transfer Process

1. An inmate transfer to a community center shall be coordinated by the Division of Probation and Parole in conjunction with the Classification Office.
2. If an inmate is transferred to a community center the medical record shall be sent to the receiving jail or halfway house.
3. An inmate transferred to a community center shall bring all personal belongings with him.
4. The offender record shall be maintained in the offender management system by Offender Information Services staff. If transferred, the inmate's money shall be sent to the appropriate personnel at the community center.
5. If the inmate is within sixty (60) days of his parole hearing date, a pre-parole progress report shall be prepared by the sending institutional case manager prior to transfer.
6. If the parole eligibility date occurs more than sixty (60) days after arrival, the community center contact person shall be responsible for providing a pre-parole progress report.

E. Transfers from Community Centers

1. An inmate in the community center may be transferred back to an institution. The reason for a transfer may include medical problems, disciplinary problems, protective custody needs and parole deferments. In all cases, a transfer shall require approval by the Director of Population

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Management.

2. If immediate action is required, the Probation and Parole Officer shall contact and advise the Community Service Center Coordinator or designee of the need for transfer.

F. Annual Inmate Photographs

A new photograph shall be taken annually of each state inmate in a halfway house. The updated photograph shall be obtained on the anniversary date of the inmate's conviction. The photograph shall be immediately placed in the offender management system.

G. Transportation from Community Centers

1. An inmate in the community center shall be transported by Community Services Center personnel as the need arises. This may include Parole Board hearings, shock probation hearings, and transfers back to an institution.
2. If the Department of Corrections transports a halfway house inmate, officers shall follow transportation procedures outlined in CPP 9.9 (Transportation of Offenders).

H. Disciplinary Problems

1. A community center inmate shall be subject to the rules of conduct particular to each community center in addition to the Department of Corrections' policies and procedures. Community center sanctions shall be used for internal control; however, an offense which may result in segregation and statutory loss of good time shall be documented and the inmate transferred back to an institution. A community center occurrence report describing the nature of the occurrence and a summary of the investigation shall be uploaded into the offender management system by Probation and Parole staff. A disciplinary transfer shall require approval by the Community Service Center Coordinator or designee.
2. The community center occurrence report shall include:
 - a. The date and time of the incident;
 - b. A listing of the personnel involved;

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- c. A detailed summary of the nature of the occurrence described by the person who witnessed the incident including the jail staff, halfway house staff, or work supervisor;
- d. A summary of the investigation described by the Probation and Parole Officer or Supervisor who did not witness the incident; and
- e. Any necessary documentation attached to the report.

I. Community Center Release Procedures

Proper care shall be given towards the handling of the legal release of an inmate in the community center program.

1. Court Order Shock Probation

- a. Application: The Probation and Parole Officer shall facilitate contact with the local Public Advocate's Office concerning an application for court ordered shock probation, legal problems and questions the community center inmate may have.
- b. Transportation: The local Probation and Parole Officer shall provide transportation for a verified court order to produce the inmate for a shock probation hearing. Prior to the hearing the Probation and Parole Officer shall review available information to ascertain whether the inmate is serving a sentence from another court or has a detainer.
- c. Release: If an order to release an inmate is received through the mail, fax or any other method it shall be forwarded to Central Office Offender Information Services for review. The Circuit Court Clerk's office shall be contacted by Central Office Offender Information Services to verify the order upon advisement that shock probation has been granted. Upon authorization that the inmate may be released per the court order, Central Office Offender Information Services shall notify the Community Center operator and Probation and Parole Officer as well as forward a Notice of Discharge and advise of any detainers that may be present. A copy shall be taken to the Center operator by the Probation & Parole Officer and the inmate advised of any stipulations concerning the probation. If the Probation and Parole Officer is unable to be present at the center, a telephone call may be made to the center operator advising him to release the particular inmate.

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2. Parole Release

- a. Every effort shall be made by the Probation and Parole Officer to assist the inmate in seeking employment and home placement.
- b. An inmate recommended for parole shall be released on parole pursuant to procedures outlined in CPP 28-03-02 (Release on Parole). Once the parole papers are received, the Probation and Parole Officer shall instruct the parolee to sign the certificate and issue the original copy to the parolee. The signed parole certificate and notice of discharge shall be documented in the offender management system.

3. Expiration Release

For a release upon expiration of sentence, Central Office Offender Information Services shall authorize an inmate's release by forwarding a notice of discharge to the Community Center operator and Probation and Parole approximately ten (10) days prior to the discharge date. Notice of the inmate's release shall be made by Offender Information Services pursuant to KRS 197.170.

J. Community Center Furlough Program

Particular criteria and procedures relative to community center furloughs shall be followed. The Director of Population Management shall have authority and responsibility for granting community center furloughs. Community center furloughs shall be separate from the institutional program and rules concerning eligibility, frequency and length of furloughs are set forth below.

1. Eligibility

- a. Furloughs in the community center program shall be a privilege, not a right. A furlough may be denied for the following reasons: poor adjustment at the center; objections from local officials; or an inmate record that reflects a history of violence. Documented objections from a law enforcement or criminal justice agency or member of the community may result in denial of the furlough, pursuant to CP 25.4. If the sentencing judge has documented objections, it shall result in the denial of a furlough for an inmate sentenced in his jurisdiction and shall result in the denial of a furlough to those counties under his jurisdiction.

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- b. A resident referred to the community center program may be considered for a furlough after sixty (60) days in the center if he is classified as community custody for six (6) months.

2. Frequency and Length

- a. An eligible community center inmate may be considered for a furlough once a quarter after the initial furlough has taken place. Quarters shall be January through March, April through June, July through September and October through December.
- b. A furlough shall not exceed forty-eight (48) hours in length and shall not exceed eight (8) days each calendar year. There shall be a minimum of sixty (60) days between furloughs.

3. Furlough Requirements

- a. An inmate shall meet furlough eligibility and sign a furlough code of conduct agreeing to abide by all rules and requirements of the furlough policy.
- b. An inmate and his family shall show evidence of an ability and willingness to pay his expenses while on furlough.
- c. The inmate shall indicate his destination and means of transportation on his application.
- d. Travel time may be added to the approved furlough time if an inmate is housed in a facility that is more than two (2) hours from his furlough address. An inmate shall be allowed only necessary travel time with a maximum of six (6) hours each way.
- e. An inmate shall not visit a convicted felon, victim of his crime, or person involved in his current crime while on furlough.
- f. An inmate applying for an overnight furlough shall indicate that suitable housing is available.
- g. A furlough shall be allowed to a verified relative only. If an exception is requested, it shall be presented to the Director of Population Management with specific written justification.
- h. An emergency furlough may be granted for a death, bedside visit or funeral visit of an immediate family member as defined in Corrections Policy and Procedure 9.4. A request for an exemption

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may be made to extend the duration of a furlough at the discretion of the Director of Population Management or designee. Officials shall be notified via telephone or fax if an emergency furlough takes place.

i. An emergency furlough may be granted for a community center inmate who is admitted into a hospital for medical treatment.

j. Rule Violations on Furlough

(1) Violations of the furlough code of conduct shall result in termination from the community center program. While on furlough, an inmate shall not:

(a) Use drugs or intoxicants;

(b) Commit an offense which results in legal action; or

(c) Visit a location or individual that is not approved.

(2) The Probation and Parole Officer shall determine whether an inmate violates the terms or conditions while on furlough and document any violation in the offender management system.

4. Procedures to be Followed

a. Community center inmates shall be provided with furlough applications through the Probation and Parole Officer's weekly visit.

b. The inmate shall complete the furlough application allowing at least four (4) weeks prior to the requested release date.

c. An inmate's first furlough in the program shall be submitted to Central Office for approval by the Director of Population Management or designee. Initial furlough applications shall allow thirty (30) days for processing.

d. The Probation and Parole Officer working with the community center shall process the furlough application.

e. Investigation of a Furlough Request by Probation & Parole Officer

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- (1) If the Probation and Parole Officer finds a furlough request is appropriate, he shall contact the relative and the appropriate receiving Probation and Parole office to verify if there are unusual circumstances which may warrant the denial of the furlough.
 - (2) The Probation and Parole Officer shall verify the willingness of the relative to sponsor the inmate. Care shall be taken to verify that the furlough is desired by the individual to be visited. The relative shall indicate this willingness in writing. A surprise furlough shall not be allowed.
 - (3) The Probation and Parole Officer shall forward information regarding a furlough request to the receiving Probation and Parole Offices of all sentencing counties and the furlough destination for a recommendation concerning the suitability of the furlough.
 - (4) The Probation and Parole Officer shall request a recommendation from the receiving Probation and Parole Office which shall be returned to the Community Center within ten (10) working days of receipt of the request.
 - (5) Information for an emergency furlough shall be verified by telephone.
- f. Upon completion of the investigation, the Probation & Parole Officer shall submit the furlough request to the District Supervisor with the officer's recommendation. The District Supervisor or designee shall make the final decision concerning the approval or disapproval of the furlough.
- g. Upon approval of a furlough, the assigned Probation and Parole Officer shall send out a notice of furlough to the following officials of the county in which the inmate is being furloughed:
- (1) Commonwealth Attorney;
 - (2) County Attorney;
 - (3) Sheriff;
 - (4) Chief of Police;

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- (5) Probation and Parole Officer, if different; and
 - (6) Circuit Court Clerk of the county to which the inmate is released and the Circuit Court Clerk of the sentencing court if he is in a different county.
- h. The furlough application and code of conduct shall be scanned and uploaded into the offender management system. After proper authorization, one (1) copy shall be given to the inmate prior to release with the parole officer or Center Operator documenting time of release and ensuring that the code of conduct has been signed. The inmate shall keep a copy of the furlough application on him at all times while on furlough.
- i. Each community center Probation and Parole Officer shall maintain a log on a furlough, documenting time of application, approval or disapproval and pertinent comments. The log shall be presented to the District Supervisor on a quarterly basis for review.
- j. A disapproved furlough shall be routed in the same manner as an approved furlough with documentation as to the reason for disapproval.
- k. The parole officer may require the inmate on furlough to report in person or by phone to the Probation and Parole Officer.
- l. If an inmate is furloughing to a different county other than the sentencing county, the Probation and Parole Office in the county to which he intends to furlough may be contacted to determine if there may be any potential problems.
- m. Return from Furlough
 - (1) An inmate shall be subject to a pat search of his person and a search of his property pursuant to CPP 9.8 upon return from furlough.
 - (a) New property shall not be allowed into the facility.
 - (b) An inmate found in possession of contraband shall be subject to violation proceedings and may be dismissed from the program.

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(2) An inmate shall submit to a test for the presence of unauthorized drugs or intoxicants when he returns from a furlough within 3 hours;

(3) If the inmate fails to submit to the drug test, or if the test results are positive, it shall be a violation of the furlough agreement:

(a) The inmate shall be dismissed from the program; and

(b) The inmate shall be disqualified from any future furlough during his incarceration.

n. Any parole officer who experiences problems with a furlough shall contact his District Supervisor. The District Supervisor shall either give direction or contact the Director of Population Management.

K. Escape

An inmate who does not return from furlough or who escapes from a community center shall be prosecuted for escape. The following procedures shall be carried out to ensure the apprehension of the escapee in a timely and well organized manner.

1. Responsibility of the Jailer or Halfway House Director

a. Within one (1) hour of the escape, the Jailer or Halfway House Director shall provide notification to:

(1) The Probation & Parole Officer

(2) Victim Information Notification System (VINE)

(3) Local law enforcement and state police, and

(4) Central Office staff and Community Service Center Coordinator or designee.

b. Prepare an extraordinary occurrence report within twenty-four (24) hours and submit it to the Community Service Center Coordinator or designee and enter documentation in the offender management system.

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2. Responsibilities of the Community Service Center Coordinator

- a. Upon notification of details of escape, submit all information regarding the escape to Adult Institutions to be distributed to the proper authorities.
- b. Immediately provide notice to Central Office Local Facilities staff for warrant entry into the National Crime Information Center (NCIC).
- c. If an inmate is released erroneously from a halfway house or jail prior to the service of his sentence, the Community Service Center Coordinator shall secure a warden's warrant for escape as provided in KRS 440.010(1) from the designated Local Facilities staff.
- d. If the escapee has relatives in other states or it is known that the escapee is heading to another state, assistance in apprehending the escapee may be obtained through the United States Attorney or local law enforcement. A request for assistance may include a copy of the escape flyer and other pertinent information like relatives, addresses, city and state.
- e. A notice of discharge showing that the inmate was discharged by escape shall be prepared by Offender Information Services and uploaded to the offender management system. Notice of the inmate's release shall be made pursuant to KRS 197.170.

L. Apprehension of Escapee

1. Once the escapee is apprehended, the Community Service Center Coordinator or designee and the District Supervisor shall be notified. Additionally, the escapee's name shall be removed from NCIC and VINE.
2. If the probation and parole officer is successful in apprehending an escapee, the escapee shall be returned directly to a designated secure institution.
3. If the escapee is apprehended by a local official on the county's escape warrant, the escapee shall be lodged in the local jail. The Probation and Parole Officer shall immediately lodge a detainer and request a copy of the warden's warrant. Upon receipt of the warrant, the detainer shall be removed and the warrant lodged as the detainer. Additionally, the date the detainer is withdrawn shall be marked on the detainer stub.

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4. Upon apprehension, the Warrants & Extradition Office shall provide escape apprehension notification to Adult Institutions, Offender Information Services, Classification, and Probation and Parole.
5. Upon notification, Classification shall reclassify the offender to a designated secure facility as the inmate's classification allows. The offender shall be transported to a designated secure facility by the Department of Corrections. If local charges are incurred with apprehensions, the offender may be transferred to an institution with a detainer filed.
6. If the escapee is apprehended out of state, the Warrants & Extradition Office, in conjunction with the Community Service Center Coordinator or designee, shall coordinate and schedule return arrangements. The escapee shall sign a waiver of extradition before arrangements may be completed for return or else an extradition proceeding shall be made through the Governor.
7. If the escapee is apprehended, the Community Service Center Coordinator or designee shall have the warden's warrant returned and placed in the inmate file.
8. Upon notification that an escapee has been apprehended, the Community Service Center Coordinator, through Adult Institutions, shall notify the proper authorities, including Classification, Adult Institutions, Finance, and Offender Information Services.
9. All documentation regarding the offender's apprehension shall be uploaded in the offender management system.

M. Medical Needs of Community Center Inmates

1. An inmate classified to a community center shall be capable of functioning without significant ongoing professional intervention for physical or psychological problems. If the need for ongoing intervention develops, the inmate may be returned to an appropriate institution.
2. The day-to-day minor medical needs shall be handled by the Center Operator in the same fashion as his general population.
3. An immediate need shall be taken care of by the center with notification to the Probation and Parole Officer assigned to the center.
4. In most cases, medical needs may be handled by the available local health services. The Community Service Center Coordinator or designee shall

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work closely with the Department's Medical Services and provide direction concerning requests for medical care which are not of an immediate nature and cases in which local medical personnel recommend hospitalization.

5. Bills for hospital admission shall be sent to the Department of Correction's administrative billing services and the departmental medical services provider.
6. The Department's Medical Services shall provide direction as to what action shall be taken.

N. Utilization of Community Center Inmates for Work Projects

1. An inmate in the community center may be utilized for governmental work projects. These activities shall be supervised by a specific individual and shall represent a community rather than a personal need or benefit. An inmate shall not work in private enterprises or in an activity that may be considered particularly dangerous.
2. A new work site shall be approved through the Probation & Parole Office, Community Service Center, and the Community Service Center Coordinator.
3. The work supervisor shall sign the Supervision Guidelines for community center inmates and shall complete a work site supervisor training. Each community center inmate assigned to a work crew shall sign the Work Experience Code of Conduct.

O. Work Crew Rules

The following work crew rules shall be followed at each community center:

1. A log shall be maintained at each community center documenting departure and arrival of each inmate from the Center and his assigned work supervisor;
2. One (1) regular supervisor shall be assigned for each inmate crew;
3. An inmate shall not be allowed to visit with a friend or relative while working on an outside detail;
4. While on work detail, the inmate shall remain in his assigned work area;

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5. An inmate shall not be paid by an organization or person other than Corrections for community service work;
6. Misconduct, fighting, stealing, leaving the work site without supervision, or possession of contraband shall be reported to the Jailer, Community Service Center, and Community Service Center Coordinator immediately;
7. The work supervisor shall sign the supervision guidelines for community center inmates, prior to assignment to a job site; and
8. A community center inmate assigned to a work crew shall sign the Work Experience Code of Conduct, prior to assignment to a job site.

P. Meritorious Good Time

An inmate may be eligible for an award of meritorious good time in accordance with Corrections Policy and Procedure 15.3.

Q. Community Center Monthly Report

The Community Service Center shall prepare a monthly report to be sent to the Community Service Center Coordinator, District Probation and Parole Office Supervisor, and Branch Manager.

R. Probation and Parole Officer's Responsibilities

The Probation and Parole Officer shall coordinate and monitor the community center program to insure compliance with Corrections Policies and Procedures, contractual requirements, and rules pertaining to the community center program. The Probation and Parole Officer shall:

1. Facilitate furloughs for community center residents except as otherwise provided;
2. Assist in transportation;
3. Coordinate transfers for parolees from the community center;
4. Assist the community center in obtaining work, educational, and recreational programs that benefit the community center inmate;
5. Make recommendations to the Jailer Community Service Center Director or designee as to the appropriate work assignments for the inmate;

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6. Meet a minimum of once each week with the Jailer, Community Service Center Director, or designee regarding the community center program;
7. Check the jail log weekly to determine the arrival and departure of the inmate on work assignment, furlough, or other approved release;
8. Visit the work site twice per month to insure inmates are properly supervised;
9. Coordinate annual training of work supervisors and training for new supervisors prior to being assigned inmates;
10. Check to insure that the work supervisor has signed and understands the work supervision guidelines;
11. Check to insure that the community center inmates have signed and understand the work code of conduct;
12. Schedule a weekly time period at the facility to be available to meet with the inmate as needed;
13. Review monthly community center reports;
14. Maintain documentation of all contacts with the community center offenders;
15. Forward written reports to the District Supervisor or designee of violations regarding compliance with contractual agreements and rules for the community center program;
16. Provide notification to the Classification Branch if an inmate is removed from the community center on violations and returned to custody; and
17. Perform other related duties as assigned.

S. Responsibilities of the Jailer or Community Service Center Director

The Jailer or Community Service Center Director to ensure public safety shall provide adequate supervision and close monitoring of the community center inmates. In order for the program to be successful in the local community and statewide, the following minimum requirements shall be met by the Jailer or Community Service Center Director. The Jailer or Community Service Center Director or designee shall:

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1. Provide the inmate with a copy of the rules regarding the community center program;
2. Consult with the Probation and Parole Officer concerning the inmate job assignment and advise the Probation and Parole Officer of a change in the work assignment;
3. Visit each work site a minimum of twice each month to ensure proper work supervision and document the visit in a log;
4. Meet with the work supervisor biannually to review work assignments, disciplinary problems, and supervision requirements;
5. Work to minimize contact between a community center inmate and the general public except on a supervised work detail or approved supervised recreational activity;
6. Coordinate and schedule contact visitation, work details, use of exercise, and multi-purpose areas; and
7. Ensure that the community center inmate is properly supervised by trained staff if outside the security of the jail or halfway house for a purpose other than a normal work assignment. An adequate staff to inmate ratio shall be maintained to ensure proper supervision based on the security needs. Outside activities shall be approved by the Halfway House Coordinator.